

ASSEMBLY BILL

No. 2864

Introduced by Assembly Member De Leon

February 22, 2008

An act to amend Sections 17072.35 and 17074.25 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2864, as introduced, De Leon. School facilities: energy efficiency.

Existing law, the Leroy F. Greene School Facilities Act of 1998, administered by the Director of General Services, authorizes the State Allocation Board to apportion funds to school districts that have been determined by the board to meet eligibility requirements for new construction funding or for modernization funding. A grant for new construction may be used for any and all costs necessary to adequately house new pupils in any approved project, including the costs of designs and materials that promote the efficient use of energy and water, the maximum use of natural lighting and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning and the costs of energy efficiency analyses, reports, design, and components. A modernization apportionment may be used for an improvement to extend the useful life of, or to enhance the physical environment of, the school.

This bill would state the intent of the Legislature to encourage school districts to strive to achieve “grid neutrality” through investments in renewable energy components for new school construction projects. This bill would allow a portion of a grant for new construction or a modernization apportionment to be used for the costs of purchase and

installation of renewable energy components, including solar panels, power systems, and photovoltaic (PV) systems.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to encourage
2 school districts to achieve “grid neutrality” through investments
3 in renewable energy components for new school construction
4 projects that will increase their energy efficiency and reduce their
5 maintenance and operation costs.

6 SEC. 2. Section 17072.35 of the Education Code is amended
7 to read:

8 17072.35. (a) A grant for new construction may be used for
9 any and all costs necessary to adequately house new pupils in any
10 approved project, and those costs may only include the cost of
11 design, engineering, testing, inspection, plan checking, construction
12 management, site acquisition and development, evaluation and
13 response action costs relating to hazardous substances at a new or
14 existing schoolsite, demolition, construction, acquisition and
15 installation of portable classrooms, landscaping, necessary utility
16 costs, utility connections and other fees, equipment including
17 telecommunication equipment to increase school security,
18 furnishings, and ~~the upgrading~~ *upgrade* of electrical systems or
19 the wiring or cabling of classrooms in order to accommodate
20 educational technology. ~~A~~

21 (b) A grant for new construction ~~may~~ also *may* be used to acquire
22 an existing government or privately owned building, or a privately
23 financed school building, and for the necessary costs of converting
24 the government or privately owned building for public school use.
25 ~~A~~

26 (c) A grant for new construction ~~may~~ also *may* be used for the
27 costs of designs and materials that promote the efficient use of
28 energy and water, the maximum use of natural lighting and indoor
29 air quality, the use of recycled materials and materials that emit a
30 minimum of toxic substances, the use of acoustics conducive to
31 teaching and learning, and other characteristics of high performance
32 schools.

1 (d) *A portion of a grant for new construction may be used for*
2 *the costs of purchase and installation of renewable energy*
3 *components, including solar panels, power systems, and*
4 *photovoltaic (PV) systems, pursuant to Article 10.5 (commencing*
5 *with Section 17077.30).*

6 SEC. 3. Section 17074.25 of the Education Code is amended
7 to read:

8 17074.25. (a) A modernization apportionment may be used
9 for an improvement to extend the useful life of, or to enhance the
10 physical environment of, the school. The improvement may only
11 include the cost of design, engineering, testing, inspection, plan
12 checking, construction management, demolition, construction, the
13 replacement of portable classrooms, necessary utility costs, utility
14 connection and other fees, the purchase and installation of
15 air-conditioning equipment and insulation materials and related
16 costs, furniture and equipment, including telecommunication
17 equipment to increase school security, fire safety improvements,
18 playground safety improvements, ~~the~~ identification, assessment,
19 or abatement of hazardous asbestos, seismic safety improvements,
20 ~~and the upgrading~~ *upgrade* of electrical systems or the wiring or
21 cabling of classrooms in order to accommodate educational
22 technology. A modernization grant may not be used for costs
23 associated with acquisition and development of real estate or for
24 routine maintenance and repair.

25 (b) *A portion of a modernization apportionment may be used*
26 *for the costs of purchase and installation of renewable energy*
27 *components, including solar panels, power systems, and*
28 *photovoltaic (PV) systems, pursuant to Article 10.5 (commencing*
29 *with Section 17077.30).*